1956. **B Class Karnatak** **File No.** BRA 1456 (K)

R. & B.C. **DEPARTMENT**

G **BRANCH**

Subject:— Bombay Rent Act 1947

Misc. matters in respect of-

Karnatak.

B Class.

P.S. 1/56

B Class

Karnatak

File No. BRA 1456 K

Ed. Secn. Slip. 24 A—1050—50,000—10-51—st.

Karnatak

B Class

G.R., G.D., No. 2408, dated 22-6-22.]

Correspondence

DOCKET SHEET

Subject :— Ind. G.S. Rent — Rent Act — Section 25 — House at Saraswatpur - Dharwar.

File No. BRA 1456 (K)

RH. & BC DEPT.

G BRANCH.

References :—

Date.	To whom sent.	Notes and instructions.

Date.	To whom sent.	Notes and instructions.

ACD 5156/29219/1/NB

AS

submitted.

P.W.D.

All the subject-matter of the Collr's letter pertains to the RH&SC Dept. These papers may, therefore, be passed on to the Hon'ble Dept. for disposal.

P.S.C.D.
18-3-56.

NB
16/3/56

As. (IV)
Ho.

Submitted to Hon'ble R.H.&S.C.D. Min. 20 March '56

Hon'ble Min. for R.H.&S.C.D.

Secy. 19.3.56

REHABILITATION, HOUSING AND BACKWARD CLASSES DEPARTMENT.
File No. BRH/456
S. No. 16250
Date 22 MAR 1956

23/3

dr. no. 1625-0 — 11 N/s

KH EBCD — 3 N/s

G

This is an application from Shri. G.S. Rao, Accountant General on behalf of his wife, who owns a house at Saraswatpur, Dharwar. He requests that the house which was used for residential purposes till 1954 should be allowed to be let for non-residential purposes.

x/p 1 o/s

Section 25 of the Rent Act prevents any landlord letting his house for non-residential purposes, if it was used for residential purposes on 13-2-48.

Copy Noted below

Since the parents of Mrs Rao were murdered in the house in a very peculiar circumstances it seems that nobody is willing to occupy the house for residential purposes. The house is lying vacant for nearly 1½ years. The landlord is no doubt — in a difficult position. Accordg. to the Collr's report - there is no other way but to allow the landlord (i.e. Mrs Rao) to let the premises for non-residential purposes.

very

x/p 3 o/s

Under section 6(1) of the Rent Act, Govt is authorised

by issuing a notification, to direct that in any of the Qasa areas, Part II shall cease to apply to premises let for residence etc.

Actually what is desired in this case the landlord should be allowed let his residential premises for non-residential purposes for this purpose it will suffice, if only the provision of section 2 of the (Part II) said Act ceases to apply to the premises (i.e. Mrs. Rao's house). The provision in section 6(1) does not say that any section of the Part I, or such shall, cease to apply, but the whole of the Part II cease to apply. However section 6(1) read with section (4) of section 2, it appears, confers powers to Govt for this purpose.

In view of the very peculiar circumstances and as the Rent Act is not intended to hurt any Landlord to any loss of his rent, it is for consideration whether the applicants request may be granted.

Incidentally it may be pointed out that each request of allowing the use of premises for residential purposes for non-residential have been rejected by Govt.

A has been our policy but having regard to the peculiar circumstances in this case, we should give the necessary permission

27/3/56.

D
4/3/56

I think in a case like this, the permission asked for should be unhesitatingly given.

1
2/3

As II

Yes, sir. Please discuss

M (Attd) 2/4

29/3

G.S.Rau,IA&AS.,
Accountant General.

Central Govt. Building,
Queen's Road,Bombay 1.
31st January 1956.

Dear Shri Sathe,

Regarding the House No. 11, Saraswatpur, Dharwar, which was formerly occupied by my wife's parents the late Diwan Bahadur and Mrs. Nayampalli, we had left with you a letter in July 1954 reporting that the house was vacant for being allotted to any intending resident. As we have not heard formally about any tenancy for the house, I assume it is very difficult to find a tenant having regard to the circumstances of the death of my wife's parents. We have, therefore, been trying to rent the house for non-residential purposes and the National Pharmacies & Pharmaceuticals Ltd.,Dharwar, are willing to take a lease of the house on a rental of Rs.60 p.m. I understand that under Sec.25 of the Bombay Rent Control Act, 1947, premises which were used for residential purposes in 1947 cannot be permitted to be used for non-residential purposes thereafter, without sanction of the competent authorities. I enclose a formal application from my wife

requesting...

requesting permission for leasing the residence
to the National Pharmacies and Pharmaceuticals Ltd
Dharwar, for non-residential purposes and I shall
be grateful if you could give the necessary
permission as soon as possible.

Encl:-1

Yours sincerely,

Shri D.D.Sathe,ICS.,
Collector of Dharwar
Dharwar.

No. MSC 807 Letter. Dharwar, 8/3/1956

To

The Secretary to Government,
Public Works Department, Bombay

I enclose herewith an application dated 31st January 1956 from Shrimati Indumati S.Rao requesting permission for leasing House No. 11 -Saraswatpur, Dharwar which is a residential building for non-residential purpose. The building belonged to her father late Diwan Bahadur Nayampalli. Late Diwan Bahadur Nayampalli and Mrs. Nayampalli were murdered in the said house in the month of July 1954 by some unknown person. Since the death of the parents of Shrimati Rao, the house has been lying vacant. She requested me to let it out to any person. I tried to find some person to occupy the house but it was not possible to persuade any one as the parents of Shrimati Rao were murdered in that house in a very tragic manner. She also tried to let it out to somebody for residential purpose but to no purpose. She has, therefore decided to let it out to the National Pharmacies and Pharmaceuticals Ltd, Dharwar for non-residential purpose. Under Sec.25 of the Bombay Rents Hotel and Lodging House Rate Control Act 1947, premises which were used for residential purpose cannot be permitted to be used for non-residential purpose. Hence Shrimati Rao has sent me the enclosed letter to give permission to let the house for non-residential purpose. Under the aforesaid Act, Collectors have not been given any authority to sanction the use of a residential building for non-residential purpose. Under the circumstances, I request you to move Government to permit Shrimati Rao to let outher house for non-residential purpose under Sec.5(1) read with Sec.25 of the Act, as the house has been lying vacant for over 1½ years and leasing it out for non-residential purpose seems to be the only way